

On October 11, 1937, the defendant entered a plea of guilty and the court imposed a fine of \$50.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27931. Adulteration and misbranding of assorted preserves. U. S. v. The J. M. Smucker Co. Plea of nolo contendere. Fine, \$50 and costs. (F. & D. No. 37983. Sample Nos. 55517-B, 55518-B, 55519-B.)**

These products contained less fruit and more sugar than preserves should contain. The blackberry contained added pectin; the peach, added acid; and the red raspberry, both added acid and pectin.

On August 14, 1936, the United States attorney for the Northern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the J. M. Smucker Co., Orrville, Ohio, alleging shipment by said company on or about January 7 and January 22, 1936, from the State of Ohio into the State of Michigan of quantities of preserves that were adulterated and misbranded in violation of the Food and Drugs Act. They were labeled variously in part: (Jars) "Quaker Pure Blackberry [or "Peach" or "Red Raspberry"] Preserves \* \* \* Lee and Cady Distributors Michigan."

The articles were alleged to be adulterated in that products consisting of mixtures of (1) blackberries, sugar, and pectin; (2) peaches, sugar, and acid; and (3) red raspberries, pectin, acid, and sugar—said mixtures containing less fruit and more sugar than preserves should contain—had been substituted for preserves, which they purported to be; in that sugar and pectin in the case of the blackberry, sugar and acid in the case of the peach, and sugar, pectin, and acid in the case of the red raspberry, had been mixed with the articles so as to reduce or lower their quality; and in that they had been mixed in a manner whereby their inferiority had been concealed.

They were alleged to be misbranded in that the following statements "Pure Blackberry Preserves," "Pure Peach Preserves," and "Pure Red Raspberry Preserves," were false and misleading in that the articles were labeled as aforesaid so as to deceive and mislead the purchaser; and in that they were imitations of and were offered for sale under the distinctive names of other articles.

On November 8, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$50 and costs.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27932. Adulteration and misbranding of meat scrap and bonemeal. U. S. v. Schoen Bros., Inc. Plea of nolo contendere. Fine, \$100. (F. & D. No. 38027. Sample No. 69002-B.)**

This product contained not less than 25 percent of sand.

On March 31, 1937, the United States attorney for the Northern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Schoen Bros., Inc., Atlanta, Ga., alleging shipment by said company on or about May 5, 1936, from the State of Georgia into the State of Alabama of a quantity of meat scrap and bonemeal that was adulterated and misbranded in violation of the Food and Drugs Act. The article was labeled in part: (Tags) "Schoen's Meat Scrap & Bone Meal \* \* \* Schoen Brothers, Inc. Manufacturers Atlanta Georgia."

It was alleged to be adulterated in that a mixture of sand with meat scrap having a sand content of not less than 25 percent had been substituted wholly or in part for meat scrap and bonemeal, which it purported to be; and in that sand in a proportion of not less than 25 percent had been mixed and packed with it so as to reduce or lower its quality.

The article was alleged to be misbranded in that the statement "Meat Scrap and Bone Meal," on the label, was false and misleading when applied to a product which contained not less than 25 percent of sand; and in that it was labeled as aforesaid so as to deceive and mislead the purchaser.

On October 25, 1937, a plea of nolo contendere was entered on behalf of the defendant and the court imposed a fine of \$100.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

**27933. Adulteration of canned salmon. U. S. v. Sigmund Einstoss (Einstoss Packing Co.). Plea of guilty. Fine, \$15 and costs. (F. & D. No. 38055. Sample No. 56345-B.)**

This product was in part decomposed.

On December 16, 1936, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in